

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

KENNETH DWAYNE HARTH, SR.

PLAINTIFF

v.

No. 4:20CV47-RP

**MISSISSIPPI DEPARTMENT
OF CORRECTIONS, ET AL.**

DEFENDANTS

**ORDER *DENYING* PLAINTIFF'S MOTION [49]
TO REISSUE PROCESS, *DISMISSING WITHOUT PREJUDICE*
DEFENDANT OFFICERS MARVEL SIMPSON AND MS. PAYNE**

This matter comes before the court on the plaintiff's motion [49] to reissue process as to defendant Officers Marvel Simpson and Ms. Payne. The United States Marshal Service was unable to locate these defendants with the information available to them, and the court ordered [43] the plaintiff to provide valid mailing addresses for these defendants within 21 days. That deadline has passed, and Mr. Harth has not done so. For this reason, the plaintiff's motion [49] to reissue process is **DENIED**, and defendants Marvel Simpson and Ms. Payne are **DISMISSED** without prejudice from this suit for want of valid service of process.

SO ORDERED, this, the 3rd day of November, 2021.

/s/ Roy Percy

UNITED STATES MAGISTRATE JUDGE